REMARKS

Claims 1-21 are pending. Claims 1-21 are stand rejected by this Office Action. Applicant requests reconsideration of claims 1-21 for the reasons as will be discussed.

Applicant acknowledges the withdrawal of the:

- rejections of claims 1-21 under 35 U.S.C. §101 allegedly for being directed to non-statutory subject matter

- rejections of claims 1, 10, 19, and 20 under 35 U.S.C. §112, first paragraph allegedly for failing to comply with the enablement requirement

- rejection of claim 21 under 35 U.S.C. §112, first paragraph allegedly for failing to comply with the enablement requirement

- rejections of claims 1-21 under U.S.C. §112, first paragraph allegedly because the specification does not reasonably provide enablement for "creating a presentation"

- rejections of claims 1, 10, and 19 under U.S.C. §112, first paragraph allegedly for failing to comply with the enablement requirement

- rejection of claim 10 under 35 U.S.C. §112, first paragraph allegedly for failing to comply with the enablement requirement

Claim Rejections – 35 U.S.C. §112

Claim 5 and 14 are rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the enablement requirement.

The Office Action alleges that (Page 3.):

> The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. These claims have the term 'source code' in them but said term is lacking within the specification. 'Source code' should have a number of meanings and manifestations but it is not within the specification for clarification or description. The claims and/or the specification must be amended to correct this rejection.

Claims 5 and 14 contain features of "displaying source code of the tutorial presentation as the tutorial presentation executes" and "logic that displays source code of the tutorial presentation as the tutorial presentation executes", respectively. The specification discloses embodiments that utilize different programming languages. For example, the specification discloses that (Page 3, lines 15-23. Emphasis added.):

> A preferred embodiment is written using **JAVA, C**, and the **C++** language and utilizes object oriented programming methodology. Object oriented programming (OOP) has become increasingly used to develop complex applications. As OOP moves toward the mainstream of software design and development, various software solutions require adaptation to make use of the benefits of OOP. A need exists for these principles of OOP to be applied to a messaging interface of an electronic messaging system such that a set of OOP classes and objects for the messaging interface can be provided. A simulation engine in accordance with a preferred embodiment is based on a Microsoft **Visual Basic** component developed to help design and test fe edback in relation to a Microsoft **Excel** spreadsheet. These spreadsheet models are what simulate actual business functions and become a task that will be performed by a student The Simulation Engine accepts simulation inputs and calculates various outputs and notifies the system of the status of the simulation at a given time in order to obtain appropriate feedback.

The Office Action further alleges that (Page 20.):

> The term 'source code' is not within the specification and the applicant's argument does not clarify the problem. Is the 'source code' itself displayed or the resulting output of the 'source code' displayed? If the invention is a business simulation software designed for tutorial use, what benefit of displaying the 'source code' benefit a student?

Visual Basic, JAVA, C, and C++ languages are examples of computer languages in which source code[1] are written for creating a tutorial presentation. Additionally, the specification discloses Visual Basic code that is involved for creating a simulation. (Page 34, line 16 – page 36, line 9.) As claimed in claims 5 and 10, source code (e.g., Visual Basic) is displayed as the tutorial presentation executes. Applicant notes that the claimed invention is for creating a tutorial presentation. As disclosed in the specification, there are different phases when creating a presentation, including the design phase, build phase, test phase, and execution phase. (Page 5, line 23-page 6, line 34; page 11, line 33-page 12, line 2.) As an example, displaying source code during the build phase is often of benefit to a developer.

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[1] Source code may defined as a set of instructions, written in a programming language, that must be translated to machine instructions before the program can be run on a computer. The program which finally runs on that computer is known as the object code. (Newton's Telecom Dictionary, Eleventh Edition, 1996.)

For at least the above reasons, one skilled in the art would be enabled to make and/or use the invention. Applicant requests reconsideration of claims 5 and 14.

Claim 1, 10, and 19 are rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the enablement requirement.

The Office Action alleges that (Page 3. Emphasis added.)

> The claims(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the invention(s), at the time the application was filed, had possession of the claimed invention. These claims state that "**at least one profile uses conjunctively a plurality of characteristics**" which is not mentioned within the specification.

The specification, as originally filed, supports the above feature in such a way as to reasonably convey to one skilled in the art that the inventors, at the time of the application was filed, had possession of the claimed invention. For example, the specification discloses (page 9, line 32-page 10, line 6. Emphasis added.):

> **A profile is composed of two types of structures: characteristics and collective characteristics.** A characteristic is a conditional (the if half of a rule) that identifies a subset of the domain that is important for determining what feedback to deliver to the student. Example characteristics include: Wrong debit account in transaction 1; Prefect cost classification; At least 1 DUI in the last 3 years; and More than two at-fault accidents in 5 years. A characteristic's conditional uses one or more atomics as the operands to identify the subset of the domain that defines the characteristic. An atomic only makes reference to a single property to a single property of a single entity in the domain; thus the term atomic. Example atomics include: The number of DUI's >= 1; ROI > 10%; and income between $75,000 and $110,000. **A collective characteristic is a conditional that uses multiple characteristics and/or other collective characteristics as its operands.** Collective characteristics allow instructional designer to build richer expressions (i.e., ask more complex questions). Example collective characteristics include: Bad Household driving record; Good Credit Rating; Marginal Credit Rating; Problems with Cash for Expense Transactions; and Problems with Sources and uses of cash. Once created, designers are able to reuse there elements with multiple expressions, which significantly eases the burden of creating additional profiles. When building a profile form its elements, atomics can be used by multiple characteristics, characteristics can be used by multiple collective characteristics and profiles, and collective characteristics and profiles, and collective characteristics can be used by multiple collective characteristics and profiles. Figure 5 illustrates an insurance underwriting profile in accordance with a preferred embodiment.

As disclosed above, a profile may include a collective characteristic that uses multiple characteristics and other collective characteristics as its operands[2]. For at least the above reasons, one skilled in the art would be enabled to make and/or use the invention. Applicant requests reconsideration of claims 1, 10, and 19.

Claim Rejections – 35 U.S.C. §102

Claims 1-21 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,302,132 (Corder).

Regarding claim 1, the claim includes the feature of "monitoring progress toward the goal, determining at least one profile that is true for the current simulation task from a set of profiles, and providing feedback to a student, based on the at least one profile, that further motivates accomplishment of the goal, the at least one profile **conjunctively** using a plurality of characteristics, each characteristic identifying a subset of the simulation domain." (Emphasis added.)

The Office Action alleges that Corder teaches (Page 7-8.):

> ... monitoring progress toward the goal determining at least one profile that is true for the current simulation task from a set of profiles, and providing feedback to a student, based on the at least one profile, that further motivates accomplishment of the goal (Corder, C7:35-44, Figure 5, C20:64 through C21:9; 'True' of applicant is equivalent to 'completeness' of Corder. 'Monitoring progress' of applicant is equivalent to the items in Figure 5, each item is a step towards a goal with corrective lessons need if required. 'Feedback' of applicant is equivalent to 'suggest ways to achieve improvements in performance' of Corder.), the at least one profile conjunctively, using a plurality of characteristics, each characteristic identifying a subset of the simulation domain (Corder, C4:15-35; "Plurality of characteristics' of applicant is equivalent to 'assessment' of Corder. One assessment' is for lip reading and another is for signing.); ...

Corder discloses (Column 4, lines 15-35. Emphasis added.):

> FIG. 2a is a schematic representation of a teacher computer 240 or workstation. This system configuration normally has more hardware components than the student's system. "Other Devices" 248 refers to components available to the teacher, such as touch screens, track balls, etc. FIG. 2b shows a student's

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[2] While "conjunctively" is not explicitly used in the specification, the words of a claim must be given their plain meaning unless they are defined in the specification in accordance with MPEP §2111.01. For example, "conjunctive" is often defined as "joined together; combined." (The American Heritage College Dictionary, Third Edition, Houghton Mifflin Company.)

computer 260. It has a component 262 to digitally record the student saying the phonograms, word, or other task objective and depicts the simplest system hardware configuration from among an almost unlimited number of possibilities. A typical networked computer lab having various hardware components which might be utilized to advantage with the method of the present invention is shown in FIG. 2c. Also shown in this figure are several hardware components which facilitate the teaching of communication skills. **For example, the video camera 2081 provides for the assessment of the lip positions during speech, or in the case of a deaf learner, for recording and evaluating the student signing the lesson objective.** The current invention is not limited to particular computers or system configurations.

The Office Action alleges that assessment is equivalent to "plurality of characteristics." Corder discloses either assessing lip positions or evaluating signing, depending whether the learner is deaf or not. Corder merely discloses using one assessment or the other assessment but not both assessments. Corder fails to suggest conjunctively using the plurality of assessments. Thus, Corder does not even suggest the feature of "monitoring progress toward the goal, determining at least one profile that is true for the current simulation task from a set of profiles, and providing feedback to a student, based on the at least one profile, that further motivates accomplishment of the goal, the at least one profile conjunctively using a plurality of characteristics, each characteristic identifying a subset of the simulation domain."

Claim 10 includes the similar feature of "logic that monitors progress toward the goal, determines at least one profile that is true for the current simulation task from a set of profiles, and provides feedback to a student, based on the at least one profile, that further motivates accomplishment of the goal, the at least one profile conjunctively using a plurality of characteristics, each characteristic identifying a subset of the simulation domain." Also, claim 19 includes the feature of "monitoring progress toward the goal, determining at least one profile from that is true for the current simulation task a set of profiles, and providing feedback to a student, based on the at least one profile, that further motivates accomplishment of the goal, the at least one profile conjunctively using a plurality of characteristics, each characteristic identifying a subset of the simulation domain." Claims 2-9, 11-18, and 20-21 ultimately depend from independent claims 1, 10, and 19, respectively, and are patentable for at least the above reasons. Moreover, claim 5 includes the feature of "including displaying **source code** of the tutorial presentation as the tutorial presentation executes." (Emphasis added.) The Office Action alleges that (Page 4, section 4. Emphasis added.):

Corder anticipates displaying source code of the presentatior [presentator] as the presentation executes. (Corder, C5 17-27; **'Displaying source code' of applicant is equivalent to the results of the 'display' of Corder.**)

However, Corder merely teaches displaying content (e.g., phonograms, icons, or buttons) that results from the source code and <u>fails</u> to even suggest displaying the source code itself. Similarly, claim 14 includes the feature of "including logic that displays source code of the tutorial presentation as the tutorial presentation executes." Applicant requests reconsideration of claims 1-21.

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

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